

FILED
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Case No. MJ-04-M-277-JLA
)
 BRADFORD C. BLEIDT)
 Defendant)

GOVERNMENT'S MOTION TO EXCLUDE TIME

The government respectfully moves for the exclusion of time from the 30 day Speedy Trial Act limit for charging the defendant by information or indictment; more specifically, the government seeks to exclude all time from the filing on November 22, 2004 of defendant Bleidt's Motion to Determine Mental Competency until the Court makes its final determination of Bleidt's mental competency.

As grounds therefor, the government states that on November 19, 2004, a Complaint was filed charging Bleidt with mail fraud and Bleidt was arrested that same day. The Speedy Trial Act requires the government to charge Bleidt by information or indictment within 30 days of his arrest. 18 U.S.C. §3161(b). However, the Speedy Trial Act excludes from the 30 day computation any "delay resulting from any proceeding, including any examinations, to determine the mental competency or physical capacity of the defendant." 18 U.S.C. §3161(h)(1)(A).


On November 22, 2004, Bleidt filed a motion for an examination to determine his mental competency. The Court allowed the motion on November 22 during Bleidt's initial appearance.

For all the above reasons, the government asks that the Court

order that all time from November 22, 2004 until the Court makes its final determination concerning Bleidt's mental competency be excluded from the 30 day Speedy Trial Act computation.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: 
MARK J. BALTHAZARD
Assistant U.S. Attorney

Certificate of Service

I hereby certify that I caused a copy of the above document to be served by mail on defendant's attorney of record, Edward J. Lee, Esq., 65 Franklin Street, Boston, MA 02110, on November 23, 2004.


MARK J. BALTHAZARD
Assistant U.S. Attorney